

Whereas, the North American Free Trade Agreement and other United States free trade agreements grant foreign firms new rights and privileges regarding acquisition of land and facilities and operating within a state that exceed those granted to American businesses under state and federal laws; and

Whereas, the North American Free Trade Agreement already has generated "regulatory takings" cases against state and local land use decisions, state environmental and public health policies, adverse state court rulings, and state and local contracts that would not have been possible in United States courts; and

Whereas, when states are bound to comply with government procurement provisions contained in trade agreements, common economic development and environmental policies such as buy-local laws, prevailing wage laws, policies to prevent offshoring of state jobs, as well as recycled content laws could be subject to challenge as violating the obligations in the trade agreements; and

Whereas, recent trade agreements curtail state regulatory authority by placing constraints on future policy options; and

Whereas, the World Trade Organization General Agreement on Trade in Services could undermine state efforts to expand health care coverage and rein in health care costs and places constraints on state and local land use planning and gambling policy; and

Whereas, new General Agreement on Trade in Services negotiations could impose additional constraints on state regulation of energy, higher education, professional licensing, and other issues; and

Whereas, despite the indisputable fact that international trade agreements have a far-reaching impact on state and local laws, federal government trade negotiators have failed to respect states' rights to prior informed consent before binding states to conform state law and authority to trade agreement requirements and have refused even to send copies of key correspondence to state legislatures; and

Whereas, the current encroachment on state regulatory authority by international commercial and trade agreements has occurred due in no small part to the fact that United States trade policy is being formulated and implemented under the Fast Track Trade Authority procedure; and

Whereas, Fast Track Trade Authority eliminates vital checks and balances established in the United States Constitution by broadly delegating Congress' exclusive Constitutional authority to set the terms of trade to the Executive Branch such that the Executive Branch is empowered to negotiate broad-ranging trade agreements and to sign them before Congress votes on the agreements; and

Whereas, the ability of the Executive Branch to sign trade agreements prior to Congress' vote of approval means Executive Branch negotiators are able to ignore congressional negotiating objectives or states' demands, and neither Congress nor the states have any means to enforce any decision regarding what provisions must be contained in every United States trade agreement and what provisions may not be included in any United States trade agreement; and

Whereas, federal trade negotiators have ignored and disrespected states' demands regarding whether states agree to be bound to certain nontariff trade agreement provisions; and

Whereas, Fast Track Trade Authority also circumvents normal Congressional review and amendment committee procedures, limits debate to twenty hours total, and forbids any floor amendments to the implementing

legislation that is presented to Congress to conform hundreds of United States laws to trade agreement obligations and to incorporate the actual trade agreement itself into United States federal law, which preempts state law; and

Whereas, Fast Track Trade Authority is not necessary for negotiating trade agreements, as demonstrated by the existence of scores of trade agreements, including major pacts such as the agreements administered by the World Trade Organization implemented in the past thirty years without use of Fast Track Trade Authority; and

Whereas, Fast Track Trade Authority, which was established in 1974 by President Richard Nixon when trade agreements were limited to traditional matters such as tariffs and quotas, is now woefully outdated and inappropriate given the diverse range of nontrade issues now included in "trade" agreements that broadly affect federal and state nontrade regulatory authority; and

Whereas, the current grant of Fast Track Trade Authority expires in July 2007: Now, therefore, be it

Resolved by the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, That the United States Congress is respectfully requested to create a replacement for the outdated Fast Track Trade Authority system so that United States trade agreements are developed and implemented using a more democratic, inclusive mechanism that enshrines the principles of federalism and state sovereignty; and be it further

Resolved, That the Congress is requested to include in this new process for developing and implementing trade agreements an explicit mechanism for ensuring the prior informed consent of state legislatures before states are bound to the nontariff terms of any trade agreement that affect state regulatory authority so as to ensure that the United States Trade Representative respects the decisions made by states; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the United States, Ambassador Susan Schwab, United States Trade Representative, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 457. A bill to extend the date on which the National Security Personnel System will first apply to certain defense laboratories (Rept. No. 110-79).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE (for himself and Mr. COBURN):

S. 1585. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the "Ernest Childers Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. SUNUNU, Mr. GREGG, and Mr. SANDERS):

S. 1586. A bill to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. CARPER, Mr. ISAKSON, Mr. KERRY, Mr. OBAMA, Mr. LIEBERMAN, Mrs. LINCOLN, and Mr. BAYH):

S. 1587. A bill to amend the Internal Revenue Code to allow a special depreciation allowance for reuse and recycling property and to provide for tax-exempt financing of recycling equipment, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. COLEMAN, Ms. SNOWE, Mr. BAYH, Ms. STABENOW, Mr. LUGAR, and Mr. COCHRAN):

S. 1588. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. KERRY, Mr. AKAKA, Mr. SALAZAR, Mr. WHITEHOUSE, and Ms. MIKULSKI):

S. 1589. A bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations; to the Committee on Finance.

By Mr. BYRD (for himself and Mr. ROCKEFELLER):

S. 1590. A bill to provide for the reinstatement of a license for a certain Federal Energy Regulatory Commission project; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON:

S. Res. 230. A resolution designating the month of July 2007, as "National Teen Safe Driver Month"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 185

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 242

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 242, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 311, a bill to amend the